GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – M.A. & U.D. Department – Case under the Prevention of Corruption Act, 1988 for possession of assets disproportionate to his known sources of income against Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District – Violation of Conduct Rules - Departmental Proceedings instituted under Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 – Articles of Charges - Issued.

MUNICIPAL ADMINSTRATION AND URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 281 **Dated: 21-03-2018**

Read:-

G.O.Ms.No.110, M.A. & U.D. (Vig.I) Department, dt:21.03.2018.

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O R D E R:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P.Revised Pension Rules, 1980 for instituting departmental proceedings against Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District in the G.O. read above, it is proposed to hold an enquiry against the said Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District in accordance with the procedure laid down in Rule 20 of the A.P.Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set-out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witness by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District is directed to submit a written statement of his defense within (10) days of the receipt of this order.

4. Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

(PTO)

5. Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex -parte.

6. Attention of Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District is invited to Rule 24 of the A.P.Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.Civil Service (Conduct) Rules, 1964.

7. The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry E.G. District **through** the Director of Town & Country Planning, A.P., Guntur.
The Director of Town & Country Planning, A.P., Guntur
Copy to:
The DG, ACB, AP, Vijayawada.
The Secretary to APVC, 5th Block, A.P. Secretariat, Velagapudi.
The Principal Accountant General (A&E), A.P., Hyderabad.
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I TO G.O.RT.NO.281 , M.A. & U.D. (VIG.I) DEPARTMENT, DATED:21.03.2018

LIST OF ARTICLES OF CHARGES FRAMED AGAINST SRI K.VENKATA RAO, TOWN PLANNING ASSISTANT, O/O REGIONAL DEPUTY DIRECTOR, TOWN & COUNTRY PLANNING, RAJAHMUNDRY

That Sri Konkipudi Venkata Rao, S/o Gannaiah, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry, E.G. District joined Government Service i.e. in the O/o RDD, Town & Country Planning as Surveyor on 07.10.1986 and worked up to 07.03.1988 at Rajahmundry and worked at Guntur from 08.03.1988 to 07.08.1991 and worked at Rajahmundry from 08-08-1991 to 04.02.1994. Later, he was promoted as JDM on 05.02.1994 and worked up to 06.07.1995, worked from 07.07.1995 to 13.07.2009 as ADM at Rajahmundry. He was promoted as Town Planning Assistant on 04.07.2009 and worked up to 07.04.2011 at Rajahmundry. While working as Public Servant, during the period between 07.10.1986 and 07.04.2011, he has committed the following grave misconduct in as much as.

CHARGE:

(1) He did not obtain prior permission from the competent authority for acquiring all the immovable property in his name and in the names of his family members as contemplated under Rule 9(1) of APCS (Conduct) Rules, 1964 and;

(2) Did not file Annual Property statements for the years 1993, 1996 to 1999, 2001, 2002 and 2006 to 2008.

Thus, that Sri Konkipudi Venkata Rao, by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened the Rule 9 (1) & (7) r/w 3(1) & (2) of APCS (Conduct) Rules, 1964.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II TO G.O.RT.NO. 281, M.A. & U.D. (VIG.I) DEPARTMENT, DATED: 21. 03.2018

LIST OF IMPUTATIONS OF MISBEHAVIOUR / MISCONDUCT OF SRI K.VENKATA RAO, TOWN PLANNING ASSISTANT, O/O REGIONAL DEPUTY DIRECTOR, TOWN & COUNTRY PLANNING, RAJAHMUNDRY

That Sri Konkipudi Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry, E.G. District joined Government Service i.e. in the O/o RDD, Town & Country Planning as Surveyor on 07.10.1986 and worked up to 07.03.1988 at Rajahmundry and worked at Guntur from 08.03.1988 to 07.08.1991 and worked at Rajahmundry from 08.08.1991 to 04.02.1994. Further, he promoted as JDM on 05.02.1994 and worked up to 06.07.1995, worked from 07.07.1995 to 13.07.2009 as ADM at Rajahmundry. He promoted as Town Planning Assistant on 04.07.2009 and worked till the date of searches i.e 07.04.2011 at Rajahmundry. He is working as Public Servant during the period between 07.10.1986 and 07.04.2011. He had drawn basic pay of Rs.24,300/- as on 07.04.2011. He was retired from Government service on 31-08-2013 on attaining the age of superannuation. He is here-in-after referred to as Government Servant.

Brief facts of the case are that on credible information that the Government servant Sri K. Venkata Rao, Town Planning Assistant, O/o Regional Deputy Director Town & Country Planning, Rajahmundry had amassed wealth by acquiring and immovable assets in name and in the names of his family members through illegal means, disproportionate to the known sources of his legal income, a case in Cr.No.4/RCA-RJY/2011 u/s 13(1)(e) r/w 13(2) of PC Act, 1988 was registered on 06.04.2011 and investigated into. During the course of investigation, it was revealed that the Government servant did not obtain prior permission from the competent authority for acquiring all the immovable property in his name and in the names of his family members as contemplated under Rule 9(1) of APCS (Conduct) Rules, 1964. Following are the immovable assets acquired by the Government servant without obtaining prior permission from the competent authority.

1. The Government Servant had purchased a house site of 220 sq. yards in Sy.No.83/1,83/3 & 83/4 at Hukumpeta, Rajahmundry Rural from Boppana VenkataRaju on 08.08.1997 for Rs.33,000/- in his name Document No. 1119/97.

2. The Government Servant had constructed a three storied (G+3) RCC building at D.No.3-437 in the house site mentioned at Sl.No.1 above under the head "Asset" in his name with construction cost of Rs.13,32,000/-. He constructed ground floor in the year 1998-1999, 1st, 2nd & 3rd floors during the year 2010-2011 with a total plinth area of 2609 Sq. Ft.

3. The Government Servant had purchased house site of 74 Sq. yards in Sy.Nos.223/2 at Anaparthi from Smt. Lanka Satyavathi in the name of his wife on 23.05.2006 for Rs.23,000/- vide regd. Doc.No.961/2006.

4. The Government Servant had constructed RCC building in the name of his wife Smt. K.M. Kanthamani bearing D.No.5-58 Venkatratnapurampeta,

Anaparthi in the house site mentioned above Sl.No.3 under the head `Assets' with construction cost of Rs.4,43,700/-. He constructed RCC building in the year 2009-2010 with a total plinth area of 407 Sq. Ft.

5. The Government Servant had constructed RCC building in the name of his wife Smt. K.M. Kanthamani bearing D.No.5-69/1, Venkatratnapurampeta, Anaparthi in the house site adjacent to the Sy.Nos.223/2 (mentioned above Sl.No.3 under the head 'Assets') with cost of construction Rs.4,63,500/-. He constructed RCC building in the year 2009-2010 with a total plinth area of 407 Sq.Ft.

6. The Government Servant had constructed RCC building in his name bearing D.No.9-3-72 at Bheemnagar Colony, Yanam in his ancestral house site during the year 2003-2004 with a total plinth area of 541 Sq. feet. Cost of construction is Rs. 2,88,000/-.

7. The Government Servant had purchased a house site of 201.6 Sq. yards in Sy.No.471 at Velugubanda from Namburi Srinivasarao on 28.10.2002 for Rs.20,200/- in the name of his wife vide regd. doc. No.4324/2002 without taking prior permission from his competent authority.

8. The Government Servant had purchased a house site of 201.6 Sq. yards in Sy.Nos.140/2,3,4 and 14/4 at Bommuru (v), Rajamundry Rural (M) from GPR Housing Pvt. Ltd for Rs.73,000/- on 17-01-2003 in his name vide registered Doc.No.78/2003.

9. The Government Servant had purchased a house site of 201.66 Sq. yards in Sy.No.420/2 at Gadalamma nagar, Rajahmundry from K.Hanumantharao and others in his name on 09.12.2004 vide regd. doc.No.9046/2004, for Rs.1,41,500/-

10. The Government Servant had purchased a house site of 339.17 Sq.yards in Sy.No.148 at Bommuru (v), Rajahmundry Rural from GPR Housing Pvt. Ltd., Rajahmundry on 24.12.2005 for Rs.3,05,500/- in the name of his wife vide regd. doc. No.4124/2005.

11. The Government Servant had purchased a house site of 238.3 Sq. yards in Sy.No.509/1 at Velugubanda, Rajanagaram Mandal from Sri Uppuluri Venkata Satyanarayana on 05.08.2006 for Rs.71,500/- in his name vide regd. Doc No.6067/2006.

12. The Government Servant had purchased a house site of 128 Sq. yards in Sy.No.132 at Bommuru (v), Rajahmundry Rural (M) from Sri K. Veeraraghavamma on 10.07.2008 for Rs.2,18,000/- in the name of his wife vide regd. Doc No.2224/2008.

13. The Government Servant had purchased a house site of 220.22 Sq. yards in Sy.No.678 at Palacharla (v) from Smt. Kalidindi Padma on 18.01.2008 for Rs.79,000/- in the name of his wife vide regd. Doc No.185/2008.

14. The Government Servant had purchased a house site of 333.33 Sq. yards in Sy.No.685 at Palacharla (v) from Sri D.S.R. Raju on 28.05.2009 for Rs.3,33,500/- in the name of his wife vide regd. Doc No.1570/2009.

15. The Government Servant had purchased a house site of 281.10 Sq. yards in Sy.No.571/3 at Palacharla (v) from Sri Ch.L.Sastry on 23.09.2009 for Rs.2,82,000/- in the name of his wife vide regd. Doc No.3922/2009.

16. The Government Servant had purchased a house site of 212 Sq. yards in Sy.No.431,432/1A to 1C at Jangareddygudem (V) & (M) from Sri Thota Venkateswara Rao on 24.08.2007 for Rs.68,000/- in the name of his wife along with two others vide regd. Doc No.3367/2007 without taking prior permission from the competent authority. (His share Rs.22,667/-).

17. The Government Servant had purchased a house site of 212 Sq. yards in Sy.No.431,432/1A to 1C at Jangareddygudem (V) & (M) from Sri P.R.S.Raju on 12.2.2007 for Rs.45,000/- in the name of his wife vide regd. Doc No.485/2007.

18. The Government Servant had purchased agricultural wet land of Ac 0.60 cents in Sy.Nos.933/3 at Yedida (v), Mandapeta (M) from Ch.Subhakararao on 01.11.2006 for Rs.1,31,000/- in his name vide regd. Doc. No.2836/2006.

19. The Government Servant had purchased agricultural wet land of Ac 0.30 cents in Sy.Nos.933 at Yedida (v), Mandapeta (M) from Ch.Subhakararao on 18.06.2010 for Rs.1,00,000/- in his name vide regd. Doc. No.1660/2010.

The investigation also revealed that the Government Servant did not submit APRs for the years 1993, 1996 to 1999, 2001, 2002, 2006 & 2008.

The Regional Deputy Director, Town & Country Planning, Rajahmundry vide his Letter in No.56/2011/S, dated 10.05.2011 informed that the Government Servant has not obtained any permission to purchase the above assets and no such entries were found in his Service Register and also informed that the Government Servant has submitted Annual Property Returns for the years 1986 to 1992, 1994, 1995, 2000, 2003, 2004, 2005 and 2009 only.

In view of the above, it is evident that the Government Servant failed to obtain prior permission from the competent authority for acquiring the immovable properties in his name and in the name of his family members and failed to file Annual Property Statements.

Thus Sri Konkipudi Venkata Rao, S/o Gannaiah, Town Planning Assistant, O/o Regional Deputy Director, Town & Country Planning, Rajahmundry, E.G. Dist by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thus violated Rule 9 (1) & (7) 3(1) & (2) of the APCS conduct Rules 1964.

Thus, the Government Servant has therefore rendered himself liable for departmental action

Movable Properties:

1. The Government Servant had purchased Bajaj Pulsar Motor cycle bearing No. AP05 BK2888 (2007 model) in the name of A.O Purchased on 06.12.2008 worth Rs.58,939/-.

2. The Government Servant had purchased Bajaj Splendor Motor cycle bearing No. AP05Q 7647 (2000 model) in the name of A.O.

3. The Government Servant had purchased Building Material i.e teak wood, vegisa wood, wood doors etc worth Rs. 2,01,800/- and same were found in the house of AO bearing D.No.3-437, Ramakrishnanagar, Hukumpeta, Rajahmundry at the time of searches.

4. Bank balances of Rs. 1,16,612/- is in the Accounts bearing Nos. 30348197115, 30494050227, 0605301000008675 and 30749139472 of SBI, Dowleswaram, Anaparthi and Lakshmi Vilas Bank, T-Nagar, Rajahmundry in the name of Konkipudi Mary Kanthamani i.e. wife of AO.

5. FDRs in the name of his wife in State Bank of India, Dowlaiswaram vide:

1)A/c. No.30548547028, dt.31.10.2008 for Rs.2,00,000/-,
2)30897833497, dt.18.09.2008 for Rs.2,00,000/-,
3)30498557870, dt.18.09.2008 for Rs.2,00,000/-,
4)A/c 30496557553, dt.18.09.2008 for Rs.2,00,000/-,
5)A/c. 30496557257, dt.18.09.2008 for Rs.2,00,000/-,
6)A/c. 30496556923, dt.18.09.2008 for Rs.2,00,000/-,
7)A/c.30496555748, dt.18.09.2008 for Rs.2,00,000/- and
8)A/c.3049201745, dt.18.09.2008 for Rs.2,00,000
Total Rs.16,00,000/-.

6. During House searches Gold Ornaments weighing about 290.34 gms found in Rajahmundry House of AO worth Rs. 1,41,000/-.

7. During House searches Cash Rs. 1,09,600/- found in the residential house of AO at Ramakrishnanagar, Hukumpeta.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-III TO G.O.RT.NO.281, M.A. & U.D. (VIG.I) DEPARTMENT, DATED: 21.03.2018

LIST OF DOCUMENTS RELIED UPON TO SUSTAIN THE CHARGES FRAMED AGAINST SRI K.VENKATA RAO, TOWN PLANNING ASSISTANT, O/O REGIONAL DEPUTY DIRECTOR, TOWN & COUNTRY PLANNING, RAJAHMUNDRY

1. Lr.C.No.41/2011, Dt:21.4.2011 of SRO, Kadiyam enclosed with copy of regd Doc. No.1119/1996, 2224/2008, 78/2003, 4124/2005.
2. Building Evaluation report vide Lr.No.4/RC-RJY/DEE/2011, dated 05.09.2011 of the DD (Engg.), ACB, Hyderabad.
3. Lr. Dt.26.04.2011 of S.R.O, Anaparthi enclosed with a copy of regd.Doc No.961/2006.
4. Lr. C.No.68/11, Dt.20.04.2011 of SRO, Rajanagaram enclosed with the copy of regd. doc. No.4324/2002, 6067/2006, 185/2008, 1570/2009, 3922/2009.
5. Lr.Dt.16.04.2011 of Jt. Sub-Registar-I, SRO, Rajahmundry enclosed the copy of regd. doc. No. 9046/2004.
6. Lr.Dt.15.4.2011 of the Sub Registrar, Jangareddygudem enclosed with attested copy of Regd. Doc. No. 3367/2007, 485/2007.
7. Lr.Dt.26.04.2011 of SRO, Mandapeta enclosed with attested copy of regd. doc. No.2836/2006, 1660/2010.

7A. SRO's Yanam, Rajanagaram (Letters)

8. The Regional Deputy Director, Town & Country Planning, Rajahmundry (Letter).
9. Any other witness like vendor of the asset or attester of the documents whose evidence found necessary during enquiry.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-IV TO G.O.RT.NO.281 , M.A. & U.D. (VIG.I) DEPARTMENT, DATED:21.03.2018

LIST OF WITNESSES TO BE EXAMINED TO SUSTAIN THE CHARGES FRAMED AGAINST SRI K.VENKATA RAO, TOWN PLANNING ASSISTANT, O/O REGIONAL DEPUTY DIRECTOR, TOWN & COUNTRY PLANNING, RAJAHMUNDRY

1. The Sub-Registrar, Kadiyam, E.G. Dist.
2. The Deputy Executive Engineer, Engg. Wing, ACB, Hyderabad.
3. The Sub-Registrar, Anaparthi, E.G. Dist.
4. The Jt. Sub-Registrar-I, SRO, Rajahmundry, E.G. Dist.
5. The Sub-Registrar, Jangareddygudem, W.G. Dist.
6. The Sub-Registrar, Mandapeta, E.G. Dist.
7. The Sub-Registrar, Yanam.
8. The Sub-Registrar, Rajanagaram.
9. The Regional Deputy Director, Town & Country Planning, Rajahmundry.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER